

Appendix F: Status of Chesapeake Bay Nutrient Criteria Development

The Chesapeake 200 agreement committed its signatories (the states of Pennsylvania, Maryland and Virginia; the District of Columbia; the Chesapeake Bay Commission and the EPA) to, “by 2001, define the water quality conditions necessary to protect aquatic living resources.” New York, Delaware and West Virginia agreed to the same commitment through a separate six-state memorandum of understanding with the EPA. Those water quality conditions will be defined through the Chesapeake Bay-specific numeric water quality criteria for dissolved oxygen, water clarity and chlorophyll *a* (response variables) that have been developed by a team of Chesapeake Bay watershed scientists and managers, including representatives from the Commonwealth of Virginia. EPA will publish these criteria in the spring of 2003. Collectively, these three water quality conditions provide the best and most direct measures of the effects of too much nutrient and sediment pollution on the Bay’s aquatic living resources – fish, crabs, oysters, their prey species and submerged aquatic vegetation (SAV). These criteria are being developed as part of a larger effort to restore Chesapeake Bay water quality. The criteria will apply to the Chesapeake Bay and all tidal tributaries and embayments in the state of Maryland, Virginia, Delaware, and the District of Columbia. The Chesapeake Bay and its tidal tributaries will be divided by the states into regulatory areas (designated use zones) for different segments of the Bay based on depth, hydrology, and aquatic community where different water quality criteria will apply depending on the aquatic life found in that zone. Combining these zones with numeric water quality criteria will provide an overall standard for achieving desired aquatic habitat conditions. Models will then be applied to determine nutrient-loading reductions needed in each tributary to maintain the numeric criteria (to address the critical causal variable.) (The Chesapeake Bay Executive Summary from EPA Draft Criteria document can be found at <http://www.chesapeakebay.net/baycriteria.htm>.) Virginia has committed via its 106 agreement with EPA to publish a Notice of Intended Rulemaking Amendment once the final Bay criteria are published and to complete the rulemaking process within 18 –24 months after the publication date of the NOIRA in the Virginia Register and newspapers.